

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DANNY CARDENAS, G36254,

Plaintiff,

v.

XAVIER BECERRA, et al.,

Defendant(s).

Case No. [20-cv-07372-CRB](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

On March 11, 2021, the court dismissed plaintiff's complaint, from which "it's virtually impossible to ascertain . . . who plaintiff is suing and for what relief," with leave to amend "to file a simple and concise amended complaint that complies with Federal Rule of Civil Procedure 8(a)(2)'s requirement of 'a short and plain statement of the claim' and makes clear 'who is being sued, for what relief, and on what theory . . . .'" ECF No. 16 at 1, 2 (quoting McHenry v. Renne, 84 F.3d 1172, 1177-78 (9th Cir. 1996)). The court also warned plaintiff that failure to file a proper complaint within 28 days would result "in the dismissal of this action." Id. at 3.

More than 28 days have elapsed since the court's March 11, 2021 order and plaintiff has not filed an amended complaint or sought an extension of time to do so. And a letter he filed before the court's March 11, 2021 order was processed (see ECF No. 15), suggests that his claims involve events or omissions that occurred at the California Medical Facility (CMF) in Vacaville, Solano County, which lies within the venue of the United States District Court for the Eastern District of California. See 28 U.S.C. § 84(b). This action accordingly is DISMISSED without prejudice to bringing in the Eastern District of California.

The clerk shall close the file and terminate all pending motions as moot.

**IT IS SO ORDERED.**

Dated: April 12, 2021

  
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CHARLES R. BREYER  
United States District Judge